

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: 08/28/06		2 Serial/Patent # 09/872,698										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
X	Petition		10/14/03	\$ 1,330.00								
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	Cert of Correction/Terminal Disc.			\$								
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			7 TOTAL AMOUNT OF REFUND		\$ 1,330.00							
8 TO BE REFUNDED BY:												
10 REASON:		Treasury Check										
	Overpayment	X	Credit Deposit A/C #:									
	Duplicate Payment		9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; text-align: center;">1</td><td style="width: 20px; text-align: center;">3</td><td style="width: 20px; text-align: center;">--</td><td style="width: 20px; text-align: center;">2</td><td style="width: 20px; text-align: center;">5</td><td style="width: 20px; text-align: center;">4</td><td style="width: 20px; text-align: center;">6</td></tr></table>			1	3	--	2	5	4	6
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X	No Fee Due (Explanation):											
Petition fee should not have been charged - no petition fee for petition to withdraw holding of abandonment												
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: Cliff Congo		TITLE: Attorney										
SIGNATURE:		PHONE: 571-272-3207										
OFFICE: Petitions												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED:		DATE: 9/6/06										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**



DAC#

PATENT
Docket No.: P-3226.04US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dennis D. Elsberry Group Art Unit: 3763
Application No.: 09/872,698 Examiner: Jeremy Thissell
Filed: June 1, 2001
For: Therapeutic Method for Treatment of Alzheimer's Disease

1-#
175-03
#17/ Petition
with Howard
Adrian

CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office at 703-308-6916 on October 10, 2003.

Theresa Belland

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Arlington, Virginia 22313-1450

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OCT 28 2003

TECHNOLOGY CENTER R3700

According to a Notice of Abandonment mailed June 19, 2003, the above-identified application became abandoned for purportedly failing to "timely file new formal drawings as required by the Notice of Allowability" mailed December 2, 2002. Applicant respectfully requests withdrawal of the Notice of Abandonment in view of the following remarks and supporting evidence.

10/17/2003 AWONDAF1 00000037 132546 09872698

01 FC:1453 1330.00 DA

REMARKS

Applicant filed new formal drawings via the US Postal Service's first class mail service on February 6, 2003, as evidenced by Exhibit A attached hereto.

Applicant's Return Receipt Postcard was date stamped by the "OIPE" of the Patent and Trademark Office as being received on February 11, 2003. A copy of said postcard is attached hereto as Exhibit B.

In reviewing the submitted documents, Applicant notes that the drawings were inadvertently, and unintentionally, filed at "Box PGPub Drawings" rather than "Box Issue Fee". Due to this oversight, Applicant received a notice from the Publication Division stating that the

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OCT 17 2003

OFFICE OF PETITIONS

Adjustment date: 09/06/2006 AKELLEY
10/17/2003 AWONDAF1 00000037 132546 09872698
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"replacement drawings for application number 09/872,698 received on 2/11/03 by the U.S. Patent and Trademark Office will be included in the application file but will not be included for patent publication due to untimely submission". See Exhibit C attached hereto.

Applicant herewith resubmits the formal drawings and respectfully requests that this application be reinstated and an Issue Notification granted.

The Commissioner is authorized to charge \$1,300 for the Petition Fee to Deposit Account No. 13-2546. A duplicate copy of this Petition is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen W. Bauer", written over a horizontal line.

Date: October 10, 2003

Stephen W. Bauer
Registration No. 32,192
MEDTRONIC, INC.
710 Medtronic Parkway NE, MS: LC340
Minneapolis, MN 55432-5604
Telephone: 763-505-0422
Facsimile: 763-505-0411
Customer No.: 27581